

REMARKSA. Request for Reconsideration

Applicants have carefully considered the matters raised by the Examiner in the Advisory Action but remain of the position that patentable subject matter is present. Applicants respectfully request reconsideration of the Examiner's position based on the Declaration of Ms. Soc Man Ho Kimura, the amendments to the claims and the following remarks.

B. Claim Status and Amendments

Claims 1-4, 6 and 10-13 are presented for further prosecution.

Claim 1 has been amended to recite that the dopant is added at nucleus formation or during grain growth so as to incorporate the dopant inside the grains. Support can be found on page 23, lines 6-15 of the application which explains that the dopant is incorporated into the silver halide grains, and that the dopant is preferably added at nuclei formation or growth. In addition, support for adding the dopant during grain growth can be found in Emulsion 3 on page 85 of the application. Note that lines 9-11 on page 23 explain that the dopant is added before or after nuclei formation, and that the dopant can be added at any stage.

The stages are listed as growth, physical ripening and chemical ripening.

C. The Advisory Action

The Examiner had raised two issues in the Advisory Action.

First, the Examiner had stated that the language "an electron trapping dopant capable of trapping an electron inside of the grains" raises new matter. Thus, the Examiner had refused to enter the amendment filed on February 24, 2006.

In reply to the Examiner's position, this RCE is being filed to enter the amendment filed on February 24, 2006.

Second, the Examiner had continued to reject the claims as unpatentable over De Keyzer (US 6,277,549) in view of either Fukui (US 2002/0102502) or PS '266 (PS 1543266). In this rejection, the Examiner had taken the position that the "electron trapping dopant" of claim 1 is equivalent to the "hole trapping dopant" of col. 3, lines 57-61 of De Keyzer. Applicants respectfully disagree and provide the Declaration of Ms. Soc Man Ho Kimura to refute the Examiner's position.

1. The hole trapping dopant of De Keyzer is not the claimed electron trapping dopant

The hole trapping dopant of De Keyzer is not the claimed electron trapping dopant which is capable of trapping electrons inside the grains. Rather, the hole trapping dopant of De Keyzer is an electron releasing dopant. For example, De Keyzer explains that hole trapping dopants release electrons (col. 3, lines 64-65) and delivers electrons (col. 4, line 6 and col. 4, lines 25-27). Thus, the dopant of De Keyzer has an opposite function compared to the claimed dopant, i.e., the dopant of De Keyzer releases electrons and creates a hole, while the claimed dopant traps electrons inside the hole, thereby filling the hole.

2. Ms. Kimura's Declaration

Applicants have performed tests to demonstrate the difference between the claimed electron trapping dopant and the electron releasing dopant of De Keyzer. These tests are reported in the enclosed Declaration of Ms. Kimura.

Ms. Kimura prepared four different samples. Samples R101 and R102 were prepared in accordance with the present Invention, and have an electron trapping dopant (4-hydroxy-6-methyl-1,3,3a,7-tetrazaindene) added either at nucleus formation or during grain growth. Samples R103 and R104 were prepared in

accordance with De Keyser, and have an electron releasing dopant (formula (I) in col. 4 of De Keyzer and compound II.1 in col. 5 of De Keyzer) added either at nucleus formation or during grain growth.

Ms. Kimura evaluated Samples R101 through R104 for storage stability, image lasting quality and S_B/S_A in accordance with the method described on pages 94-97 of the application. The evaluation results are shown in Table 5 of the Declaration.

As shown in Table 5, Samples R101 and R102 having electron trapping dopants are different than and superior to Samples R103 and R104 having electron releasing dopants with regard to storage stability and image lasting quality.

Applicants therefore submit that the enclosed Declaration demonstrates that the claimed electron trapping dopant is not equivalent to the electron releasing dopant of De Keyzer. It is respectfully submitted that the present invention is not taught or suggested by the cited references taken alone or in combination.

D. Conclusion

In view of the foregoing and the enclosed, it is respectfully submitted that the application is in condition for allowance and such action is respectfully requested. Should any extensions of time or fees be necessary in order to maintain

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this Application in pending condition, appropriate requests are hereby made and authorization is given to debit Account # 02-2275.

Respectfully submitted,

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Encl: Executed Declaration of Ms. Soc Man Ho Kimura
Executed PTO Form 2038